IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

(Special Original Jurisdiction)

MONDAY, THE ELEVENTH DAY OF JULY
TWO THOUSAND AND FIVE

PRESENT

THE HON'BLE MR JUSTICE GODA RAGHURAM

WRIT PETITION NO : 14858 of 2005

Between:

Smt. S. Sarojini Devi W/o Venkata Satyanarayana Reddy
R/o H. No. 12-1-64, Church Road, Bhadrachalam Khamma District

..... PETITIONER

AND

1 Additional Assistant Engineer, Operations, A.P. Discom, Bhadrachalam Khammam District
2 Assistant Divisional Engineer, Operations, AP.DISCOM, Bhadrachalam, Khammam District
3 Divisional Engineer, Operations, A.P. Discom Bhadrachalam, Khammam District
4 The Superintending Engineer, Operation Circle, Khammam

.....RESPONDENTS

Petition under Article 226 of the constitution of India praying that in the circumstances stated in the Affidavit filed herein the High Court will be pleased to issue a Writ, order or direction more in the nature of mandamus declaring the action of the 4th respondent in not disposing the statutory appeal filed by the petitioner dated 1-2-2005 in respect demanded amount of Rs.1,10-139/- towards service connection NO. 1496 in respect of House bearing NO. 12-1-64 situated at Church road Bhadrachalam, Khammam District and demanding payment of entire amount on the threat of disconnection as highly arbitrary, illegal and violative of Article 21 of the Constitution of India, and consequentially to direct the respondents to pass appropriate orders son the appeal in respect of the dispute in question, and to pass such other or orders as this Hon'ble Court may deem fit and proper.

Counsel for the Petitioner: MR.P.V.RAMANA

Counsel for the Respondents: MR.V.AJAYAKUMAR

The Court, at the stage of admission, made the following :

ORAL ORDER

Heard the learned counsel for the petitioner and Sri V.Ajay Kumar, learned Standing Counsel for APTRANSCO.

The writ petition is filed aggrieved that the 4th respondent is not disposing of the appeal dated 01-02-2005 filed by the petitioner against a demand of Rs.1,10,139/- towards energy charges in respect of service connection No.1496 in house bearing No.12-1-64, Church Road, Bhadrachalam village, Khammam district and also aggrieved that the respondents are demanding payment of the entire amount on the threat of disconnection of the other domestic service connections standing in the name of the petitioner. The petitioner is the holder of a service connection No.1496. There are some disputes as to whether the premises to which the said service connection has been issued is being used for commercial or domestic purpose. The respondents raised a demand of Rs.1,10,139/- against which the petitioner appealed to the 4th respondent. On the oral instructions of the 4th respondent, it is stated that the petitioner paid Rs.50,000/- on 29-04-2005 towards part payment of the demand of Rs.1,10,139/-. It is now alleged by the petitioner that the respondents are threatening to disconnect the other domestic service connections standing in the name of the petitioner, seven (7) in number, without the disposing of the petitioner's appeal.

In the circumstances above, after hearing the learned Standing Counsel for the respondents also, it is hereby directed that the respondents shall refrain from disconnecting the other domestic service connections standing in the name of the petitioner, except service connection No.1496 which is already stated to have been disconnected, till the disposal of the appeal of the petitioner pending with the 4th respondent. The liability of the petitioner to pay the balance amount or the entitlement of the respondents to disconnect the other service connections standing in the name of the petitioner would depend on the outcome of the appeal to be determined by the 4th respondent and communicated to the petitioner.

Accordingly the writ petition is disposed of. No order as to costs.

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GODA RAGHURAM,J

11TH JULY 2005

*TSNR

To

1 The Additional Assistant Engineer, Operations, A.P. Discom, Bhadrachalam Khammam District
2 The Assistant Divisional Engineer, Operations, AP.DISCOM, Bhadrachalam, Khammam District
3 The Divisional Engineer, Operations, A.P. Discom Bhadrachalam, Khammam District
4 The Superintending Engineer, Operation Circle, Khammam

5 Two C.D.Copies.